

Notice of Allowability

Application No.

10/527,850

Examiner

F. L. Evans

Applicant(s)

MUEHLIG ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on April 13, 2007.
2. ☒ The allowed claim(s) is/are 16,18-27 and 30-35.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>Definition of computer.</u> |

DETAILED ACTION

The Drawings

Receipt is acknowledged of the replacement sheet of drawings filed on April 13, 2007. These drawings are acceptable.

Allowable Subject Matter

Claims 16, 18-27 and 31-35 are allowed.

Examiner's Statement of Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Applicant's remarks on page 11 of the response filed on April 13, 2007 with respect to the rejection of the claims under 35 U.S.C. § 101 have been fully considered and are persuasive. The rejection of the claims has been withdrawn.

As to independent claims 16 and 32, the prior art of record, taken alone or in combination, fails to disclose or render obvious steps e)-g) of claim 16 and steps f)-h) of claim 32, in combination with the rest of the limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Remarks

A definition of a computer from The American Heritage Dictionary - Second College Edition accompanies this Office action. This definition was discussed during the interview held on March 20, 2007.

Fax/Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner whose telephone number is (571) 272-2414.

Art Unit: 2877

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext 77. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


F. L. EVANS
PRIMARY EXAMINER
ART UNIT 2877

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May 13, 2007

Second College Edition

The
**American
Heritage
Dictionary**



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com-pul-sion (kəm-pūl'shən) *n.* 1. a. The act of compelling. b. The state of being compelled. 2. *Psychol.* a. An irresistible impulse to act, regardless of the rationality of the motivation. b. An act or acts performed in response to such an impulse. [ME < LLat. *compulsio* < Lat. *compellere*, to compel. —see **COMPEL**.]

com-pul-sive (kəm-pūl'siv) *adj.* 1. Having the capacity to compel. 2. *Psychol.* Caused or conditioned by compulsion or obsession. —**com-pul-sive-ly** *adv.* —**com-pul-sive-ness** *n.* **com-pul-so-ry** (kəm-pūl'sə-rē) *adj.* 1. Employing or exerting compulsion; coercive. 2. Obligatory; required: a compulsory examination. —**com-pul-so-ri-ly** *adv.* —**com-pul-so-ri-ness** *n.*

com-punc-tion (kəm-pūngk'shən) *n.* 1. A strong uneasiness caused by a sense of guilt; remorse: *felt no compunctions about lying*. 2. A feeling of uncertainty about the fitness or correctness of an action. [ME *compunctioun* < Med. Lat. *compunctio*, sting of conscience < Lat., *puncture* < *compungere*, to sting: *com-* (intensive) + *pungere*, to prick.] —**com-punc-tious** (-shəs) *adj.* —**com-punc-tious-ly** *adv.*

com-pur-ga-tion (kəm-pər-gā'shən) *n.* Law. The practice of clearing an accused person of a charge by having a number of people swear to a belief in his innocence. [LLat. *compurgatio*, complete purification < Lat. *compurgare*, to purify completely: *com-* (intensive) + *purgare*, to purify.]

com-pu-ta-tion (kōm-pyōō-tā'shən) *n.* 1. a. The act or process of computing. b. A method of computing. 2. The result of computing. 3. The act of operating a computer. —**com-pu-ta-tion-al** *adj.* —**com-pu-ta-tion-al-ly** *adv.*

com-pute (kəm-pyōōt') *v.* -put-ed, -put-ing, -put-es. —*tr.* 1. To determine by mathematics, esp. by numerical methods: *computed the tax due*. 2. To determine by the use of a computer. —*intr.* 1. To determine an amount or number. 2. To use a computer. —*n.* Computation: *amounts beyond compute*. [Lat. *computare*: *com-* (intensive) + *putare*, to reckon.] —**com-pu-ta-bil'i-ty** *n.* —**com-pu-ta-ble** *adj.*

com-puter (kəm-pyōōt'ər) *n.* 1. A person who computes. 2. A device that computes, esp. an electronic machine that performs high-speed mathematical or logical calculations or that assembles, stores, correlates, or otherwise processes and prints information derived from coded data in accordance with a predetermined program.

com-puter-ese (kəm-pyōōt'ər-ēz', -rēs') *n.* The technical language or jargon of the computer profession.

com-puter-ize (kəm-pyōōt'ər-īz') *tr.v.* -ized, -iz-ing, -izes. 1. To process or store (information) with or in an electronic computer or system of computers. 2. To furnish with a computer or computer system. —**com-puter-iz-a-ble** *adj.* —**com-puter-iz-a-tion** *n.*

com-puter-ized (kəm-pyōōt'ər-īzd') *adj.* Of or pertaining to a computer or the use of a computer.

computerized axial tomography *n.* Tomography in which computer analysis of a series of cross-sectional scans made along a single axis of a structure is used to construct a three-dimensional image.

computer language *n.* A code used to provide data and instructions to computers.

com-rade (kōm'rād', -rad) *n.* 1. A person who shares one's interests or activities; friend; companion. 2. Often **Com-rade**. A fellow member of a group, esp. a fellow member of the Communist Party. [OFR. *camarade*, roommate < OSP. *camarada* < *camara*, room < LLat. *camera*. —see **CHAMBER**.] —**com'rade-ship** *n.*

Com-sat (kōm'sāt'). A trademark for a communications satellite.

Com-stock-er-y (kōm'stōk'ə-rē, kūm'-) *n.* Overzealous censorship of literature and the other arts because of alleged immorality. [After Anthony Comstock (1844-1915).]

Com-tism (kōm'tiz-əm) *n.* The philosophy of Auguste Comte; positivism. —**Com'tist** (kōm'tist) *n.*

Co-mus (kō'məs) *n.* A classical deity of revelry. [Lat. < Gk. *Kōmos* < *kōmos*, revel.]

con! (kōn) *adv.* In opposition to or disagreement with; against: *debate pro and con*. —*n.* 1. An argument or opinion against something. 2. A person or group holding an opposing opinion. [Short for **CONTRA**.]

con? (kōn) *tr.v.* **conned**, **con-ning**, **cons**. 1. To study, peruse, or examine carefully. 2. To learn or commit to memory. [ME *connen*, to know < OE *cunnan*.] —**con'ner** *n.*

con? also **conn** (kōn) *Naut.* —*tr.v.* **conned**, **con-ning**, **cons**. To direct the steering or course of (a vessel). —*n.* 1. The station or post of the person who cons. 2. The act or process of conning. [ME *conduen* < OFr. *conduire* < Lat. *conducere*, to lead together. —see **CONDUCE**.]

con? (kōn) *Slang*. —*tr.v.* **conned**, **con-ning**, **cons**. To swindle or defraud (a victim) by first winning his confidence; dupe. —*n.* A swindle. [Short for **CONFIDENCE**.]

con? (kōn) *n.* *Slang*. A convict.

con- *pref.* Variant of **com-**.

con-a-mo-re (kōn' ə-mōr'ē, -mōr'ē, kōn' ə-mōr'ā) *adv.* Mus. Lovingly; tenderly. Used as a direction. [Ital., with love.]

co-na-tion (kō-nā'shən) *n.* *Psychol.* The aspect of mental processes or behavior directed toward action or change and including impulse, desire, volition, and striving. [Lat. *conatio*, effort < *conatus*, p.part. of *conari*, to try.] —**co-na-tional** *adj.* —**co-na-tive** (kō-nā-tiv, kōn'ə-) *adj.*

co-na-tus (kō-nā'təs) *n.* *pl.* **conatus**. A natu impulse, or directed effort. [Lat., effort < *p.p.* to try.]

con bri-o (kōn brē'ō, kōn) *adv.* Mus. With spi Used as a direction. [Ital., with vigor.]

con-cat-e-nate (kōn-kāt'n-āt', kōn-) *tr.v.* -na -nates. To connect or link in a series or chain (nāt'). Connected or linked in a series. [LLat. *concatenat*: *com-*, together + *catenare*, to bi tena, chain.] —**con-cat-e-na-tion** *n.*

con-cave (kōn-kāv', kōn'kāv') *adj.* Curved like face of a sphere. —*n.* A concave surface, stru —*tr.v.* -caved, -caving, -caves. To make co Lat. *concavus*: *com-* (intensive) + *cavus*, ho cave'ly *adv.* —**con-cave-ness** *n.*

con-cavi-ty (kōn-kāv'tē) *n.* *pl.* -ties. 1. The state of being concave. 2. A concave surface

con-cavo-con-cave (kōn-kāv'vō-kōn-kāv') *adj.* both surfaces, as certain lenses.

con-cavo-con-vex (kōn-kāv'vō-kōn-vēks') *adj.* on one side and convex on the other. 2. Desi with greater concave than convex curvature.

con-ceal (kōn-sēl') *tr.v.* -cealed, -ceal-ing, -ce keep from observation, discovery, or unders secret. [ME *concelen* < OFr. *conceler* < Lat. *cc* (intensive) + *celare*, to hide.] —**con-ceal-a-b** ceal'er *n.* —**con-ceal-ment** *n.*

con-cede (kōn-sēd') *v.* -ced-ed, -ced-ing, -ced acknowledge as true, just, or proper, often u mit: *conceding defeat*. 2. To yield or grant as right. —*intr.* To make a concession: *yield*. [Lat. *concedere*: *com-* (intensive) + *cedere*, to ced'ed-ly (-sēd'id-lē) *adv.* —**con-ced'er** *n.*

con-celt (kōn-sēl') *n.* 1. Too high an opinion ties, worth, or personality; vanity. 2. An inge thought or expression. 3. a. An elaborate c metaphor. b. The use of such metaphors, thought or idea. 5. A fancy article. —*tr.v.* -cel -celts. 1. *Obs.* To understand; conceive. 2. imagine. 3. *Chiefly Brit. Regional.* To take a f well of. [ME *concelte*, mind < *conceiven*, to c

con-celt-ed (kōn-sēl'id) *adj.* 1. Holding too hi of oneself; vain. 2. *Regional.* Inclined to l whimsical. —**con-celt-ed-ly** *adv.* —**con-celt'er** *n.*

con-ceive (kōn-sēv') *v.* -ceived, -ceiv-ing, 1. To become pregnant with. 2. To form o mind; devise: *conceive a plan to increase profit*. hend mentally; understand: *can't conceive*. 4. To think or believe; hold an opinion: *didn't such a tragedy could occur*. —*intr.* 1. To fo idea: *Ancient peoples conceived of the earth become pregnant*. [ME *conceiven* < OFr. *co concipere*: *com-* (intensive) + *capere*, to take a-bil'i-ty, *con-celv'a-ble-ness* *n.* —**con-celv'a-** celv'a-bly *adv.* —**con-celv'er** *n.*

con-cele-brate (kōn-sēl'ə-brāt') *tr.v.* -bra -brates. To take part in a concelebration. — (-brant) *n.*

con-cele-bration (kōn-sēl'ə-brā'shən) *n.* T of the Eucharist by two or more clergymen.

con-center (kōn-sēn'tər, kōn-) *tr.* & *intr.v.* -ters. To direct toward or come together at a ter. [OFR. *concentrer*, to concentrate < VLat —see **CONCENTRATE**.]

con-cent-rate (kōn'sən-trāt') *v.* -trat-ed, -tr —*tr.* 1. a. To direct or draw toward a comm bus. b. To gather together in one main body *thority was concentrated in the president*. increase the concentration of (a solution or n 1. To converge toward or meet in a commo direct one's thoughts or attention: *concentrat before us*. —*n.* Chem. A product of conce Concentrated. [VLat. **concentrare*, *concentr* together + Lat. *centrum*, center. —see **CENTI** tra-tive *adj.* —**con-cent-ra-tive-ly** *adv.* —**con'** con-cent-ra-tion (kōn'sən-trā'shən) *n.* 1. process of concentrating, esp. close, undiv b. The condition of being concentrated. 2. s has been concentrated. 3. Chem. The amoun substance in a unit amount of another subst

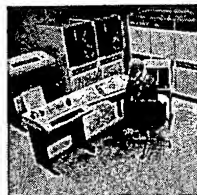
concentration camp *n.* A camp where pri enemy aliens, and political prisoners are con

concentration gradient *n.* The difference ir of a solute per unit distance of a solution.

con-cen-tric (kōn-sēn'trik) also **con-cen-ti** *adj.* Having a common center. [ME *concentr concentricus*: Lat. *com-*, same + *centrum*, cer TER.] —**con-cen-tri-cally** *adv.* —**con-cen-sēn-tris'ti-tē** *n.*

con-con-cept (kōn'sēpt') *n.* 1. A general idea or esp. one derived from specific instances or oc thought or notion. [LLat. *concepius* < *p.p.* part. conceive.]

Usage: *Concept* is frequently used as conception or idea. Traditionally, *concept* is eral abstract idea: *The concept of democracy*



computer

